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CITY OF COLUMBUS **BOARD OF ZONING APPEALS HEARING OFFICER** (April 10, 2012 Meeting)

STAFF REPORT

Docket No. / Project Title: C/CU-12-02 & C/DS-12-06 (Sandy Hook United Methodist Church)

Staff: Derek Naber **Hearing Officer:** Melissa Begley

Applicant: Sandy Hook United Methodist Church

Property Size: 4.33 Acres

Zoning: RS2 (Residential: Single-Family 2)

Location: 1610 Taylor Road, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed conditional use will allow a request by Sandy Hook United Methodist Church for conditional use approval, per Zoning Ordinance Section 10 (Table 10.1) for a freestanding sign with an electronic changeable copy message board and a development standards variance from Zoning Ordinance Section 10 (Table 10.1) for a freestanding sign to exceed the maximum height of 6 feet by 0.83 feet; to be located in an RS2 (Residential: Single Family 2) zoning district.

Preliminary Hearing Officer Decision:

Conditional Use Request: Approval

Development Standards Variance Request: Approval

Zoning District Intent:

The intent of the RS2 (Residential: Single-Family 2) zoning district is as follows: To provide areas for moderate density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks, and open space, employment and convenience goods.

Development Standards: Zoning Ordinance Section 10 (Table 10.1) states that a freestanding sign in an RS2 (Residential: Single Family 2) is permitted to be a maximum of 6 feet in height.

Current Property Information:		
Land Use:	Worship Facility	
Site Features:	The site features a church, parking lot, and wooded areas.	

Flood Hazards:	The entire property is located in the 100-year floodway fringe.	
Vehicle Access:	The property gains access from Park Valley Drive (Local, Residential, Suburban) and Taylor Road (Minor Arterial, Residential, Suburban).	

Surrounding Zoning and Land Use:			
	Zoning:	Land Use:	
North:	RS2 (Residential: Single Family 2)	Single-Family Homes	
South:	RS2 (Residential: Single Family 2)	Single-Family Homes	
East:	AP (Agriculture: Preferred)	Farmland	
West:	RS2 (Residential: Single Family 2)	Single-Family Homes	

History of this Location:

The relevant history of this property includes the following: On March 25, 2003, the City of Columbus Board of Zoning Appeals approved of a freestanding standing with a changeable copy area which exceeded the primary element area (C/DS-03-03). The approval of the sign was subject to two conditions what stated that the lighting for the sign shall be reduced by at least 50% and that if any complaints arise, the matter shall be reviewed after a period of six (6) months. The sign was then subsequently approved administratively (C/ZC-03-20).

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

- 1. Sandy Hook United Methodist Church is proposing to remove their existing freestanding sign cabinet and replace it a new similar cabinet that would feature a 1.64 foot by 7.66 foot (12.56 square foot) primary sign element and a 1.58 foot by 7.61 foot (12.02 square foot) digital changeable copy element. The freestanding sign will be a total of 24.58 square feet. Because the sign is one-half or less of the total permitted area (50 square feet), the changeable copy area is allowed to be equal up to 100% of the primary element. The sign inclusive of the supporting framework and bracing would be 4 foot by 8 foot (32 square feet).
- 2. The sign cabinet is proposed to be located on top of a brick framework at its existing location along Taylor Road, in order to elevate the sign. The proposed sign will be a height of 6.83 feet tall. This is also the height of the existing freestanding sign. The proposed sign will also maintain over 40 points of landscaping within 5 feet of the base of the sign (As required by Zoning Ordinance Section 8.1 (C)(5)). The property for the church along Taylor Road is lowered by approximately 3 feet from the adjacent street. The additional height for the sign is added to ensure that the sign is adequately visible from the street.
- 3. Taylor Road is classified according to the Thoroughfare Plan as a Minor Arterial, Residential, Suburban and has a speed limit of 35 miles per hour. The street features a grass median between the north and south traveling lanes.
- 4. The digital changeable copy area of the sign will not image or change more often than every 6 seconds according to Zoning Ordinance Section 10 (D)(1). The previous changeable copy sign that was approved and is proposed to be replaced by this new sign (C/DS-03-03) was approved with the condition that the internal lighting for the sign be reduced by at least 50%. The new digital changeable copy portion of the freestanding sign will automatically turn down the brightness of the sign during the evening hours to lessen its impact to the surrounding area.

5. Sandy Hook United Methodist Church is located within the residential neighborhood of Sandy Hook which also is zoned RS2 – Residential: Single-Family 2. The matching residential zoning district for the church is to ensure that all new development, landscaping, or signs fits within the context of the surrounding neighborhood. The location of the freestanding sign is approximately over 200 feet away from neighboring residential properties.

Comprehensive Plan Consideration(s):

The Comprehensive Plan designates the future land use of properties in this area as Residential.

The Comprehensive Plan includes this property in the East 25th Street Neighborhoods character area.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application: **POLICY A-2-11**: Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.

Provisional Findings of Fact/Decision Criteria (Conditional Use):

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals Hearing Officer to allow conditional uses that meet the criteria listed below. The Hearing Officer may impose reasonable conditions as part of an approval.

1. The proposal will not be injurious to the public helath, safety, and general welfare of the community.

Provisional Findings: The proposed freestanding sign is not located within any restricted area including the public right-of-way or sight visibility triangle. The proposed sign has automatic illuminating adjustment monitors to more appropriately display information so as to not be too bright to drivers and neighboring properties. *This criterion has been met*.

2. The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.

Provisional Findings: The proposed freestanding sign for the church fits within the surrounding neighborhood. The size of the sign complies with the requirements of the Zoning Ordinance within the zoning district. The lighting levels for the digital sign are adjusted which will be more appropriate during the evening hours. *This criterion has been met*.

3. Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

Provisional Findings: The digital changeable copy portion of the sign will not change or image more often than every 6 seconds per Zoning Ordinance requirement. The lighting levels for the sign will also be reduced during the evening hours so as to have less of a lighting impact on the surrounding area. The sign is also located a measurable distance away from any residential properties. The freestanding sign will not be out of context compared to the surrounding area. This criterion has been met.

4. The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.

Provisional Findings: The proposed freestanding sign is less than the maximum amount of permitted sign area. The height of freestanding will not be out of context due its sunken location along Taylor Road. The freestanding sign will also be adequately landscaped per Zoning Ordinance requirement. *This criterion has been met.*

Provisional Findings of Fact/Decision Criteria (Development Standards Variance):

The Board of Zoning Appeals Hearing Officer may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Hearing Officer may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Provisional Findings: The height of the freestanding sign does not create any visibility issues to the surrounding area or to traffic on adjacent Taylor Road. This criterion has been met.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Provisional Findings: The height of the freestanding sign is offset by its sunken location along Taylor Road. The height of the freestanding sign will not be out of context compared to the surrounding area, because of its location. *This criterion has been met.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.

Provisional Findings: The added height of the freestanding sign is appropriate to offset the difficulty to the property created by the sunken area where the freestanding sign is located. The sign is adequately elevated and is not elevated in an excessive manner. *This criterion has been met.*

Hearing Officer Options:

In reviewing a request for <u>conditional use</u> the Hearing Officer may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Hearing Officer, (4) deny the petition (with or without prejudice), or (5) forward the petition to the full Board of Zoning Appeals.

In reviewing a request for <u>development standards variance</u> the Hearing Officer may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Hearing Officer, (4) deny the petition (with or without prejudice), or (5) forward the petition to the full Board of Zoning Appeals.